Remarks

Claims 7-17, 21, 28-38, 40, and 43 were pending. Due to the restriction requirement, claims 28-38 and 40 are cancelled without prejudice to prosecution in a future application. Claims 44-46 are added. Therefore, claims 7-17, 21 and 43-46 are now pending.

Claim 7 was amended to include the abbreviation for splice donor site. Claims 8-10 were amended to clarify that the functional deletion in claim 7 can be any type of functional deletion (such as an insertion, deletion, or substitution), while the dependent claims 8-10 are directed to sequence deletions. These amendments do not add new matter, and were not made to distinguish prior art.

Claims 44-46 were added. Support can be found in claim 9. Therefore, this claim does not add new matter.

Applicants hereby elect Group I (claims 7-15, 17 and 21), drawn to a packaging vector with deletions upstream and downstream, with traverse. Although the restriction requirement states that Group II includes claims 17 and 43, it appears that Group II (as defined by the examiner to include packaging vectors with mutations (instead of deletions) upstream and downstream of the splice donor site) only includes claim 16 (not claims 17 and 43), as claim 17 uses the language "lacks an HIV-2 packaging sequence", while claim 16 uses the mutation language. Applicants request confirmation that this understanding is correct.
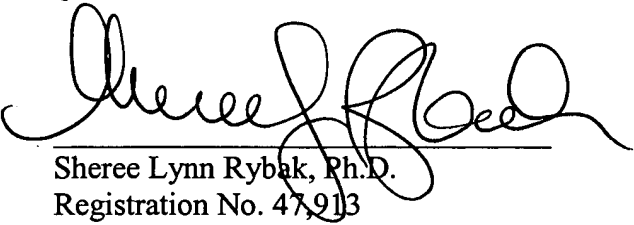
Groups I and II should be examined in the same application. Both groups are directed to packaging vectors having upstream and downstream packaging signal sequences functionally deleted. Functional deletions include sequence changes (such as insertions, substitutions, or deletions) that have the effect of deleting the sequence (see page 9, lines 33-35 of the specification). Although the examiner has restricted the packaging vector claims based on the type of functional deletion used, the invention is not limited to particular methods of achieving functional deletion of upstream and downstream packaging signal sequences. Therefore, the claims should not be restricted to particular types of functional deletions in the packaging vector.

Indeed, the restriction requirement in the parent application did not restrict the packaging vectors into two separate claim groups. Applicants thereby request that Groups I and II be examined in the same application.

If there are any questions regarding this amendment, the examiner is invited to telephone the undersigned.

Respectfully submitted,

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